

10756544 - GAU: 3754

Appl. Ser. No.: 10/756,544

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Serial No.: 10/756,544  
Filing Date: 01/12/2004  
Applicant(s): David H. Dicks, et al.  
Title: FITMENT FOR FLEXIBLE CONTAINER  
Art Unit: 3754  
Examiner:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the provisions of 37 C.F.R. §1.56 and 37 C.F.R. §§1.97-1.99, the Applicant is hereby making of record the enclosed PCT International Search Report and copies of cited references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

- [ ] (1) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage of the above identified application. Accordingly, applicant(s) believe that no fee or certification is required.
- [ ] (2) Applicant(s) believe the enclosed Information Disclosure Statement is entitled to the benefit of 37 CFR §1.97(b)(3). Accordingly, applicant(s) believe that no fee or certification is required.

**PETITION UNDER 37 CFR §1.97(d)**

- [ ] (2) Pursuant to 37 CFR §1.97(d), applicant(s) hereby petition the Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the

issue fee has not been paid and that a certification under 37 CFR §1.97(e) is provided herein, along with the petition fee of \$130.00 required under 37 CFR §1.17(i)(1).

**CERTIFICATION UNDER 37 CFR §1.97(e)(1)**

- (3) The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement.

**CERTIFICATION UNDER 37 CFR §1.97(e)(2)**

- (4) The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a duty of disclosure as set forth in 37 CFR §1.56(c) more than three months prior to the filing of this statement.
- (5) The information disclosure fee of \$200.00 required by 37 CFR §1.17(p) is believed to be due and is enclosed herewith.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a)(3) even if in a foreign language, since the few terms of relevance therein are deemed of

universal cognizance. However, applicant does not necessarily adopt the position reflected by that report.

Respectfully submitted,

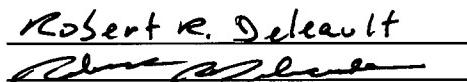


Date: 6/7/05

Robert R. Deleault, Esq.  
Reg. No. 39,165  
Attorney for the Applicants  
41 Brook Street  
Manchester, NH 03104  
Tel. (603) 668-1971

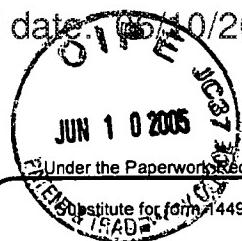
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on June 7, 2005:


Receipt date: 15/10/2005

10756544 - GAU: 3754



301

Substitute for form 1449/PTO  
16A/2

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 1

PTO/SB/08A (08-03)	
Approved for use through 07/31/2006. OMB 0651-0031	
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE	
D o n d to a collection of information unless it contains a valid OMB control number.	
<b><i>Complete if Known</i></b>	
Application Number	10/756,544
Filing Date	01/12/2004
First Named Inventor	David H. Dicks
Art Unit	3754
Examiner Name	
Attorney Docket Number	

**U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	5	FR 1087930	03-01-1955	Orsini		
	6	EP 0 905 045 A2	03-31-1999	Asept Int'l AB		
	7	GB 1104359	02-28-1968	Kathleen Henfre		
	8	DE 40 23 274 A1	01-23-1992	Helga Schenk		
	9	DE 36 35 857 A1	05-05-1988	Wilhelmsdal-Wer		

Examiner Signature	/Donnell Long/	Date Considered	02/24/2011
-----------------------	----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.L./